

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Winston Bickham,

Case No. 16-cv-1140-JNE-KMM

Plaintiff,

v.

**REPORT AND  
RECOMMENDATION**

Carolyn W. Colvin, Commissioner of  
Social Security,

Defendant.

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After the plaintiff, Winston Bickham, filed his summary judgment motion (ECF No. 14), the defendant, Acting Commissioner of Social Security Carolyn Colvin, filed a motion to remand this matter back to the Commissioner for further administrative action (ECF No. 17). The Commissioner represents that the parties agree that such remand is appropriate. ECF No. 19 (stating that according to an October 20, 2016 email, Mr. Bickham “does not object to Defendant’s Motion to Remand”).

**Recommendation**

Based on the parties’ agreement, and on the record as a whole, the Court makes the following recommendation:

1. The Commissioner’s motion for remand (ECF No. 17) be **GRANTED**.
2. Mr. Bickham’s motion for summary judgment (ECF No. 14) be deemed **MOOT**.
3. The case be **REMANDED** pursuant to sentence 4 of 42 U.S.C. § 405(g), to the Commissioner of Social Security for further administrative action.

Date: October 27, 2016

s/ Katherine Menendez

Katherine Menendez

United States Magistrate Judge

## NOTICE

**Filing Objections:** This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. LR 72.2(b)(2). All objections and responses must comply with the word or line limits set for in LR 72.2(c).

**Under Advisement Date:** This Report and Recommendation will be considered under advisement 14 days from the date of its filing. If timely objections are filed, this Report and Recommendation will be considered under advisement from the earlier of: (1) 14 days after the objections are filed; or (2) from the date a timely response is filed.